IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Appeal No.48 of 2007
In
Writ Petition No.2452 of 2006

Dr.Ajitrai B.Vasavada. .. Appellant

Vs.

Bhagwan Shri 1008 Shri Haidyakhandi
Go Seva Ashram & Ors. .. Respondents
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Ms Reeta Joshi i/b A.D.Shetty for the Appellant.

None for the Respondents.
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CORAM : R.M.S.KHANDEPARKAR &
D.G.KARNIK, JJ

DATED : 16TH MARCH, 2007

P.C.

. Heard. The appellant challenges the order dated 25th September, 2006 passed in Writ Petition No.2452 of 2006. The Learned Single Judge has dismissed the Petition as the same was filed challenging the order of dismissal of the application under Section 33C(2) of the Industrial Disputes Act, 1947. Dismissal of the application was on the ground that the appellant had failed to establish a pre existing right. Considering the same, the Learned

Single Judge has refused to interfere in the order passed by the lower Court. We do not find any irregularity committed by the Learned Single Judge in dismissing the Petition and the impugned order does not warrant any interference in the appeal. Since the pre existing right is not established, the question of challenging the dismissal of the application under Section 33C(2) of the Industrial Disputes Act, 1947 does not arise. The appeal, therefore, is rejected.

(R.M.S.KHANDEPARKAR, J)

(D.G.KARNIK, J)